

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

The specification is amended to include section headings and to remove the term "said" from the specification. In addition, the number 28 is used to designate the flexible tabs consistent with Figure 5 of the drawings, for example, and the number 29 is used to designate the annular friction member so that the number 29 does not designate both the flexible tabs and annular friction member. The above changes are believed to address the specification objections noted in the Official Action.

Claims 1-23 are pending in the application.

The phrases "the said rotating, "and inner part" and "inner part be able to" have been amended as suggested in the Official Action to address the claim objections noted in the Official Action.

Claims 1-21 are amended to provide proper antecedent basis for the elements noted in Item 4 of the Official Action. In addition, claims 1-21 are amended to provide consistency with previously recited items to avoid confusion of the recited "the member", "the inner ring", "the outer ring", "the cover", "the casing" and "a bearing ring". Accordingly, reconsideration and

withdrawal of the rejection of claims 1-21 under 35 USC §112, second paragraph, are respectfully requested.

Claims 1, 2, 4, 5, 8, 11-14 and 16-23 are rejected as unpatentable over MESSAGE et al. FR 2 804 479 in view of LISOWSKY 5,044,784. This rejection is respectfully traversed.

Independent claim 1 includes means for braking a rotating part. The means for braking includes at least one component equipped with flexible tabs bearing against an annular friction member.

MESSAGE et al. has a U.S. equivalent (Patent No. 6,821,021). Column 12, lines 18-48 of the '021 patent correspond to page 19, line 26 through page 20, line 16 of the French patent and provide that elements 62, 62a (noted in the Official Action as a means for braking) is actually a flange that is connected to an annular friction member 63 through a friction facing 64. The friction facing 64 is in contact with a radial portion 62a of the flange 62 so that the two races 2 and 4 of the rolling bearing 1 of MESSAGE et al. are temporarily angularly fastened together as seen in Figure 19.

Before the bearing is put into use, a spacer 33 crushes the frustoconical portion 63a of friction member 63 against a radial surface 4a of the inner race 4. This crushing confers a radial shape to the frustoconical portion 63a as seen in Figure 20. This crushing also causes axial displacement of

the friction member 63 toward the rolling body 6 and separates the facing 64 from the flange 62. See also Figure 20.

Accordingly, reference numerals 62, 62a of MESSAGE et al. are not a means for braking the rotating part. Rather, these elements function to angularly fasten the races 2 and 4, that is, to lock the races to each other before the device of MESSAGE et al. is put in use. Once in use, the spacer 33 separates the facing 64 from the flange 62. The device of MESSAGE et al. is a temporary holding device, not a means for braking a rotating part.

Replacing the tab of MESSAGE et al. with plural tabs taught by LISOWSKY would only increase the holding power. However, each of the tabs would be broken upon insertion of the spacer 33 such that the modified device of MESSAGE et al. would not teach a means for braking a rotating part.

Claims 2, 4, 5, 8, 11-14 and 16-21 depend from claim 1 and further define the invention and are also believed patentable over the cited prior art.

In addition, the dependent claims include features not disclosed by the combination of references. For example, claim 8 provides that the means for braking comprises a portion equipped with tabs. The tabs extend axially with respect to an axis of rotation. Element 62a of MESSAGE et al. (noted in the Official Action) does not perform a braking function. The tabs 56, 58 of

LISOWSKY extend radially and also do not perform a breaking function.

Claim 21 includes a cover fixed onto an end of the casing enclosing the device so as to close off the casing on a side opposite to a control wheel. Since the device of MESSAGE et al. is not for a control wheel, a shaft extends through the device of MESSAGE et al. such that MESSAGE et al. do not teach a cover enclosing the device. LISOWSKY also has a shaft extending through his device such that LISOWSKY does not teach a cover enclosing the device.

Independent claim 22 includes a brake for braking the rotating part. The brake comprises at least one component equipped with flexible tabs bearing against an annular friction member. Independent claim 23 includes a brake for braking the rotating part. The brake comprises flexible tabs bearing against an annular friction member. The analysis above regarding claim 1 is equally applicable to claims 22 and 23.

Claims 1, 3-10, 13, 14, 18, 20, 22 and 23 are rejected as unpatentable over LISOWSKY in view of MESSAGE et al. This rejection is respectfully traversed.

As set forth above, claim 1 includes a means for braking a rotating part. The means for braking comprises at least one component equipped with flexible tabs bearing against an annular friction member.

The Official Action has indicated element 50 of LISOWSKY as a means for braking a rotating part. The Official Action has also indicated element 52 of LISOWSKY as an annular friction member. However, this designation of these elements is not supported by the reference.

Element 50 of LISOWSKY is a bearing isolator similar to the bearing isolator 10 described on column 2, line 50 through column 3, line 36 of LISOWSKY. Bearing isolator 50 absorbs vibration and acoustic energy in a heavy duty transmission. The bearing isolator is rigidly mounted on a stationary support. The isolator comprises an energy absorbing ring of composite material formed of resinous material such as epoxy and a fill of, for example, glass fibers. The outer lugs 56, 58 of the bearing isolator are used to form voids which further perform an energy absorbing function. The rotating part of LISOWSKY is shaft 72 such that inner race 16 is rotatable. Neither isolator 50 nor the lugs 56, 58 which extend therefrom function to brake rotating shaft 72 or any other rotary part of LISOWSKY.

In addition, element 52 of LISOWSKY is an energy absorbing member that is a similar material to the isolator 50 (resinous plastic material). No other part rubs against this element such that friction is not generated by or from this element.

Accordingly, LISOWSKY neither teaches means for braking a rotating part nor an annular friction member. Therefore,

LISOWSKY could not teach that the means for braking comprises at least one component equipped with flexible tabs bearing against the annular friction member as recited in claim 1.

As set forth above, MESSAGE et al. teach a temporary angular holding member, not a means for braking a rotating part.

The above-noted feature is missing from each of the references, is absent from the combination and thus is not obvious to one having ordinary skill in the art.

Claims 3-10, 13, 14, 18 and 20 depend from claim 1 and further define the invention and are also believed patentable over the proposed combination of references.

Independent claims 22 and 23 include the limitation of a brake for braking a rotating part. These claims also include an annular friction member, the brake comprising at least one flexible tab bearing against the annular friction member. The analysis above regarding claim 1 is equally applicable to claims 22 and 23.

Claim 15 is rejected as unpatentable over MESSAGE et al. in view of LISOWSKY and further in view of LANDRIEVE FR 2 810 088. This rejection is respectfully traversed.

LANDRIEVE is only cited for a seal for protecting a braking means. LANDRIEVE does not teach or suggest what is recited in claim 1. As set forth above, MESSAGE et al. in view of LISOWSKY does not suggest what is recited in claim 1. Since claim 15 depends from claim 1 and further defines the invention,

the proposed combination of references would not render obvious claim 15.

Claim 15 is rejected as unpatentable over LISOWSKY in view of MESSAGE et al. and further in view of LANDRIEVE. This rejection is respectfully traversed.

As set forth above, LANDRIEVE is only cited for the teaching of a seal protecting the braking means. LANDRIEVE does not teach or suggest what is recited in claim 1. As set forth above, LISOWSKY in view of MESSAGE et al. does not teach or suggest what is recited in claim 1. Since claim 15 depends from claim 1 and further defines the invention, the proposed combination of references would not render obvious claim 15.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Liam McDowell, Reg. No. 44,231
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

LM/lrs